

MARGARET DONNELLAN TODD  
COUNTY LIBRARIAN

November 25, 2003

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**SET PUBLIC HEARING TO ADOPT RESOLUTION  
FOR SPECIAL TAX MEASURE ON MARCH 2, 2004 ELECTION BALLOT  
(All Districts) (3-VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Set a public hearing for December 2, 2003 for the purpose of considering the resolution submitted by a city requesting the Board to place the County Library's special tax measure on the city's March 2, 2004 Primary Election ballot.
2. Following the public hearing, adopt the attached resolutions for the Cities of La Puente and Avalon, and adopt a resolution in substantially the same form as the attached draft resolution for any additional cities that come forward, instructing the County Registrar-Recorder/County Clerk to take any and all steps necessary to submit the question of the special tax to the qualified voters within the requesting city at the March 2, 2004 election.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will set a public hearing date for the Board to consider resolutions from cities served by the County Library but not currently participating in the Library's special tax to be included in the special tax program by placing the special tax measure on the city's Primary Election ballot on March 2, 2004.

On June 23, 2003 the Board approved a motion to restore \$7.3 million to the Public Library's 2003-04 budget. That motion was approved with a requirement that all cities served by the County Library that are not currently participating in the Library's special tax place a measure on their local ballot by June 30, 2004 to give their voters the opportunity to vote on whether to participate in the special tax.

On July 2, 2003 I sent letters to the seven cities with municipal elections in November advising them of the Board's June 23 action, and inviting each city to consider submitting a resolution to its council for approval in time for the Board to place the special tax measure on the city's November ballot. However, no city chose to take action for the November election. On November 7, 2003 I reminded cities of the opportunity to request that the Board place the special tax measure on city ballots for the March 2, 2004 Primary Election. Two cities have taken the necessary action, and I am aware that other cities are considering action in time for the Board to act for the March Primary Election.

In order to respond to any city resolutions, the Board must set and conduct a public hearing to consider the city's request. In addition, the Board must adopt its own resolution instructing the County Registrar-Recorder/County Clerk to place the measure on the ballot.

### **Implementation of Strategic Plan Goals**

Approval of the recommended actions is consistent with the County's Strategic Plan in the area of fiscal responsibility to effectively manage financial resources and to financially stabilize the County.

### **FISCAL IMPACT/FINANCING**

Placing this measure on individual city ballots will incur additional election costs for the County. It is therefore required that each city requesting this action include a provision in The resolution adopted by the city council which provides for reimbursement to the County for the additional election costs if the special tax measure is not approved by the voters. If the measure is approved, the election costs will be taken from the special tax proceeds.

If the special tax measure is approved by a city's voters, the County will be able to include that city in the Library's special tax program and levy the special tax against parcels within the city in the same amounts and for the same purposes as the special tax is levied by the County against parcels in other portions of the Library's service area to fund library services and facilities. The amount of the special tax revenue raised in each city varies depending on the number of parcels subject to the tax. In June, I advised the Board of the potential special tax revenue that each city not currently participating in the Library's special tax might generate. A copy of that revenue estimate is provided as Attachment A for the Board's reference and information. Those estimates are based on the current special tax rate approved for Fiscal Year 2003-04.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The County Public Library's special tax was created by voter approval of Proposition L at the June 3, 1997 special election, and the tax was first levied for the 1997-98 Fiscal Year. The special tax is currently levied in 11 cities and the unincorporated areas served by the Public Library. The special tax rate for Fiscal Year 2003-04 is \$24.76 per parcel.

A city that is not currently participating in the special tax may do so by submitting the matter to the qualified voters in the city and obtaining approval of the measure by two-thirds of the voters. The Cities of La Puente and Avalon have already adopted resolutions requesting that the Board place the measure on the March ballot.

The latest date the Board can act to put a measure on the March ballot is December 2, 2003. To take such an action, the Board must set and conduct a public hearing, and adopt a resolution placing the measure on the ballot pursuant to Government Code Section 50077. It is recommended that the Board set a public hearing for Tuesday, December 2, 2003 to consider any resolution that may be submitted by a city requesting that the special tax be placed on its March ballot. Setting the hearing for December 2 will allow the latest possible opportunity for a city to submit its resolution to the Board so that the Board may act by the last date allowed by law to place a matter on the March ballot. Attachments B and C are resolutions prepared by County Counsel for that purpose for the Cities of La Puente and Avalon. Attachment D is a draft resolution to be used at the public hearing for any additional cities that come forward prior to the hearing requesting the Board to take this action. A final version of the draft resolution will be prepared for each additional city prior to the public hearing on December 2.

The Honorable Board of Supervisors  
November 25, 2003  
Page 4

**IMPACT ON CURRENT SERVICES**

If more cities participate in the Public Library's special tax it will provide additional revenue to augment service levels in those cities, or to offset the impact of other potential revenue losses or budget reductions. Due to the County's serious budget constraints, this potential source of additional revenue could be a key to maintaining or supplementing existing service levels for cities served by the County Library. If cities choose not to participate in the special tax program, the service levels provided will be based on available revenue from other sources, and continuation of current service levels cannot be assured.

Respectfully submitted,

A handwritten signature in cursive script that reads "Margaret Donnellan Todd".

Margaret Donnellan Todd  
County Librarian

MDT:DF:jc

U:\COMMON\BORDL TRS\Special Tax-City Ballots-March 2-04 Primary Election.wpd

**Attachments**

C: Chief Administrative Officer  
County Counsel Registrar-  
Recorder/County Clerk